

<sup>10.</sup>  
~~60.~~ The device of claim ~~54~~<sup>9</sup>, further comprising means for activating an audible alarm mounted in said housing.

*El*  
*Concl*  
61. The device of claim 54, further comprising a switch on said housing for selectively arming said sensor means.

<sup>11.</sup>  
~~62.~~ The device of claim ~~54~~<sup>9</sup>, further comprising a microphone and ear piece connected by wire means to said cellular telephone for remotely using said cellular telephone.

**IN THE ABSTRACT:**

Page 14, line 3, before "security" insert -- digital camera, --.

**REMARKS**

This Preliminary Amendment is being filed concurrently with a Continued Prosecution Application for presenting all new claims and making certain revisions to the application by new counsel for applicant.

The title of the patent application has been amended to more accurately reflect the claimed subject matter, namely, a portable information communication device because the invention relates to far more than the modified cellular phone. Similarly, the Abstract has been amended to state that the communication device includes the digital camera.

All of the previously presented claims have been cancelled and, therefore, the grounds for rejection set forth in the Office Actions of August 16, 1999 and October 13, 1999 are moot.

However, the references applied in those rejections will be considered briefly as they may apply to new claims 25-62, although such claims are substantially different in form and content from the

original claims. Independent claim 25 is the broadest new claim and it requires a digital camera and cellular phone to be mounted in the same housing with means for activating the digital camera for capturing images and means for activating the cellular telephone for wireless communication with a remotely located telephone for transmitting the images captured by the digital camera to the remotely located telephone. Such combination is not disclosed by the applied references. The principal references applied in the previous Office Actions were Alpert (5,742,666) and Dounies (5,343,509). Alpert discloses a cellular mobile telephone mounted in an automobile with connections to a separate transceiver 54 mounted in the automobile with a crash detector 66 and antenna 30 which also are mounted in the automobile. Obviously, the transceiver 54, crash detector 66 and antenna 30 are not "portable" and there is no suggestion in Alpert that those devices could be included in the cellular telephone, as is required in some of applicant's new claims such as independent claims 39 and 48. Thus, the only thing "portable" in the Alpert system is a conventional cellular telephone. Furthermore, Alpert does not disclose or suggest the use of a digital camera in conjunction with his system, much less as a part of the cellular telephone, as required by all of applicant's claims, or a sound recording device, as required by some of applicant's claims..

Dounies discloses an emergency system which is specifically designed to transmit information by facsimile from a stationary location when an emergency is observed by an operator. In other words, Dounies merely discloses a panic button system that an operator can use to send an emergency facsimile or other message by pressing a selected button rather than the operator being required to prepare the message. The camera 36 of Dounies is a still camera that is provided for photographing the operator when the system is activated to send a message. The Dounies device is

not intended to be portable in that it is described as being connected to conventional power sources and telephone lines, as well as being located at a specific facility that may be subject to emergencies and hazards. Thus, Dounies does not meet applicant's new claims.

Further, there is no suggestion in either Alpert or Dounies that components or features of either system can or should be combined with the other system for any particular purpose. Further, there is no incentive for combining or modifying the components or features of either of the references. For example, if one skilled in the art were presented with the Alpert and Dounies patents and assigned the task to create an improved system using the teachings or both patents, there is nothing in those references that would suggest the "portable information communication device" now claimed by applicant.

A new examination of the subject patent application based on applicant's new claims for this Continued Prosecution Application is respectfully requested and a favorable action on the merits of those claims is respectfully solicited.

Respectfully submitted,

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